

POWLEY|GIBSON

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**VIA ECF**

March 20, 2018

Honorable Vera M. Scanlon  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, 505 North  
Brooklyn, NY 11201

Re: *Font Diner, Inc. v. Haribo of America, Inc.* (1:17-cv-06612)(RRM)(VMS)

Dear Judge Scanlon,

We are counsel to Defendant, Haribo of America, Inc., in the above-referenced action. As indicated in the parties' Stipulated Request For Fourth Extension Of Time To Answer, In Light Of Settlement In Principle (Dkt. 16), the parties have reached a settlement of this matter. In your February 20, 2018 Status Report Order, you ordered the parties to file either a stipulation of dismissal or a status report letter proposing three initial conference dates on or before March 22, 2018. However, while the parties have agreed on terms, and Plaintiff has executed the settlement document, Defendant is currently in the process of circulating the settlement document for execution. As a result, the parties do not anticipate full execution in advance of the March 22 deadline. Accordingly, we write with Plaintiff's consent, pursuant to Your Honor's Individual Rule II(b), to request a two-week extension of time for the parties to file a stipulation of dismissal or status report letter, from March 22, 2018 to April 5, 2018. This is the parties' first request to extend the deadline to file a stipulation of dismissal or status report letter. This extension does not affect any other scheduled dates.

Favorable consideration is requested.

Respectfully submitted,

POWLEY & GIBSON, P.C.  
*Attorneys For Defendant*

By: /s/ Keith E. Sharkin

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CC: Counsel for Plaintiff (via ECF and E-mail)